

IN THE CLAIMS

Please cancel claim 13 without prejudice, and please amend claim 12 to recite the features thereof. A marked-up version of Amended Claim is enclosed.

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12. (Amended) Process for the production of a multilayer coextrudate with a plastic layer that has release properties with respect to adhesives, comprising

locating materials producing the release properties within the plastic layer, wherein a first web (2, 22) is provided in production of the coextrudate on one side of which a layer of adhesive (3, 23) is located, after which the plastic layer (4, 24) with the release properties follows, which is in turn bonded to a second web (5, 25); and

wherein the layers of the coextrudate are coextruded simultaneously.

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REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following

remarks.

This will make of record a telephone conference between Patent Examiner Nasser Ahmad and the undersigned attorney, Ed Freedman, on January 23, 2003, during which the formal objection to the abbreviations was discussed. The Patent Examiner stated that an acceptable response would be to add to the U.S. Specification a list defining the abbreviations of the chemical compounds recited on pages 4 to 5 of the Specification.

The amendments to this patent application are as follows: The U.S. Specification has been amended to recite the section headings on Pages 1 and 3, as required by U.S. Practice. On Page 5, "SEP" was canceled from the Specification. On Page 6, the list of abbreviations has been inserted into the Specification. A new Abstract of the Disclosure has been provided on its own separate page to replace the " Summary" page. Dependent claim 13 has been canceled, and independent claim 12 has been amended to recite the features thereof.

In response to the formal rejection of claims 12 to 22 under 35 U.S.C. 112, it is respectfully printed out that for the present invention, one skilled in the art would understand how the release properties of the release layer are produced. The release properties nonetheless can be achieved, for example by admixing a

silicone oil or the like. The U.S. Specification description provides the person skilled in the art with the appropriate instructions as to how the method of the invention can be carried out.

For clarifying these facts, the subject matter of claim 13 has been incorporated into claim 12. Thus the layers of the coextrudate are coextruded simultaneously.

Regarding claim 14, it is entirely consistent with the prior art to produce multi-layered coextrudates by the blowing method. Several blow nozzles are arranged next to one another in the following process like in the casting process. Since a foil hose is formed first in the blowing process, the extrusion nozzles are arranged concentrically with each other.

It is believed that the added list of abbreviations used in the application will provide all of the necessary chemical compound names for pages 4 and 5 of the Specification. However, page 5 was amended to delete the abbreviation for "SEP."

For all these reasons, it is firmly believed that the Abstract, Specification, and all the claims, are now in complete compliance with the requirements of 35 U.S.C. 112. Withdrawal of

this ground of rejection is respectfully requested.

The applicant comments upon the prior art rejection of the claims as follows:

The present invention is directed to a process for the production of a multilayer coextrudate with a plastic layer that has release properties with respect to adhesives, comprising locating materials producing the release properties within the plastic layer, wherein a first web (2, 22) is provided in production of the coextrudate on one side of which a layer of adhesive (3, 23) is located, after which the plastic layer (4, 24) with the release properties follows, which is in turn bonded to a second web (5, 25); and wherein the layers of the coextrudate are coextruded simultaneously.

The present invention is also directed to a multilayer coextrudate produced in accordance with the process of the invention, wherein at least two plastic films (2, 5; 22, 25) are provided, between which a layer of adhesive (3, 23) and a further layer (4, 24) that has release properties with respect to the adhesive are located.

According to the present invention, any desired release layer according to the claimed process is extruded together with the cover or top layer (first web 2, 22) and together with the adhesive

layer (3, 23).

This coextrudate either can be extruded onto a carrier layer or it can be coextruded together with the carrier layer. The carrier layer is joined with the release layer.

This distinguishes the present invention also from the *DUNCAN* patent applied by the Patent Examiner. In *DUNCAN*, only a co-extrusion of a carrier layer and an adhesive layer, or a co-extrusion of a carrier layer and a release layer is described. The co-extrusion of a three layer composite comprising a first web, an adhesive and the associated release layer is not taught, suggested, or disclosed.

More particularly, the *DUNCAN U.S. Patent No. 4,626,460* in column 1 in lines 39 to 61 discloses a biaxially oriented label stock product possessing a facing layer having a pressure sensitive adhesive material incorporated therein or applied to the surface thereof coextruded with, and peelably affixed to, a release layer having a release material incorporated therein or applied to the surface thereof adjacent the facing layer. In addition, there is provided a biaxially oriented label stock product which comprises:

(a) a facing layer in the form of a polyolefin film having an upper surface and a lower surface, a pressure sensitive adhesive

component incorporated within said facing layer or applied as a coating to the lower surface thereof; and,

(b) a release layer in the form of a polyolefin film having an upper surface and a lower surface and having a release agent component for the pressure sensitive adhesive component of facing layer (a) incorporated therein or applied as a coating to the upper surface thereof, the lower surface of facing layer (a) being peelably affixed to the upper surface of said release layer (b).

Thus *DUNCAN* fails to teach or to suggest the claimed invention. Moreover, *DUNCAN* fails to provide an identical disclosure of the claimed invention. Hence the present invention is not anticipated under 35 U.S.C. 102. Withdrawal of this ground of rejection is respectfully requested.

In summary, claim 13 has been canceled and claim 12 has been amended. In view of these amendments, it is firmly believed that the present invention, and all the claims, are patentable under 35 U.S.C. 103 over the prior art applied by the Patent Examiner.